

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

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UNITED STATES OF AMERICA)

v.)

JESSE LEMAR MCCORMICK)

CR. NO. 2:20cr138-WKW-SRW

[18 U.S.C. § 2251(a) and (e);

18 U.S.C. § 1470;

18 U.S.C. § 1462; and

18 U.S.C. § 2252A(a)(5)(B) and (b)]

INDICTMENT

The Grand Jury charges:

COUNT 1

(Sexual Exploitation of a Child)

From on or about April 4, 2020, through on or about April 5, 2020, in Autauga County,
within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

employed, used, persuaded, induced, enticed, and coerced and attempted to employ, use,
persuade, induce, entice, and coerce any minor, to wit: Minor Victim 1, to engage in sexually
explicit conduct for the purpose of producing any visual depiction of such conduct, knowing and
having reason to know that such visual depiction would be transported and transmitted using any
means and facility of interstate and foreign commerce and in and affecting interstate and foreign
commerce; the visual depiction was produced and transmitted using materials that had been
mailed, shipped, and transported in and affecting interstate and foreign commerce by any means,
including by computer; and the visual depiction was transported using any means and facility of
interstate and foreign commerce and in and affecting interstate and foreign commerce. All in
violation of Title 18, United States Code, Section 2251(a) and (e).

COUNT 2

(Transfer of Obscene Material to Minor)

From on or about April 4, 2020, through on or about April 5, 2020, in Autauga County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

attempted to transfer and knowingly transferred obscene matter to another individual, to wit:

Minor Victim 1, who had not attained the age of 16 years of age, knowing that the other individual had not attained the age of 16 years, by any facility and means of interstate and foreign commerce. All in violation of Title 18, United States Code, Section 1470.

COUNT 3

(Transportation of Obscene Matter)

On or about April 4, 2020, in Autauga County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

knowingly used an interactive computer service (as defined in section 230(e)(2) of the Communications Act of 1934), for carriage in interstate commerce, obscene matter, to wit: an image of an adult male exposing his penis and a video of a male and female engaging in sexual intercourse. All in violation of Title 18, United States Code, Section 1462.

COUNT 4

(Sexual Exploitation of a Child)

On or about April 4, 2020, in Montgomery County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

employed, used, persuaded, induced, enticed, and coerced and attempted to employ, use, persuade, induce, entice, and coerce any minor, to wit: Minor Victim 2, to engage in sexually

explicit conduct for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; the visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and the visual depiction was transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce. All in violation of Title 18, United States Code, Section 2251(a) and (e).

COUNT 5

(Transfer of Obscene Material to Minor)

On or about April 4, 2020, in Montgomery County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

attempted to transfer and knowingly transferred obscene matter to another individual, to wit: Minor Victim 2, who had not attained the age of 16 years of age, knowing that the other individual had not attained the age of 16 years, by any facility and means of interstate and foreign commerce. All in violation of Title 18, United States Code, Section 1470.

COUNT 6

(Transfer of Obscene Material to Minor)

Beginning on an unknown date through on or about April 9, 2020, in Autauga County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

attempted to transfer and knowingly transferred obscene matter to another individual, to wit: Minor Victim 3, who had not attained the age of 16 years of age, knowing that the other

individual had not attained the age of 16 years, by any facility and means of interstate and foreign commerce. All in violation of Title 18, United States Code, Section 1470.

COUNT 7
(Sexual Exploitation of a Child)

On or about March 1, 2020, in Elmore County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

employed, used, persuaded, induced, enticed, and coerced and attempted to employ, use, persuade, induce, entice, and coerce any minor, to wit: Minor Victim 4, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; the visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and the visual depiction was transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce. All in violation of Title 18, United States Code, Section 2251(a) and (e).

COUNT 8
(Sexual Exploitation of a Child)

On or about March 8, 2020, in Elmore County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

employed, used, persuaded, induced, enticed, and coerced and attempted to employ, use, persuade, induce, entice, and coerce any minor, to wit: Minor Victim 4, to engage in sexually

explicit conduct for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; the visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and the visual depiction was transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce. All in violation of Title 18, United States Code, Section 2251(a) and (e).

COUNT 9
(Sexual Exploitation of a Child)

Beginning on an unknown date through on or about April 9, 2020, in Montgomery County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

employed, used, persuaded, induced, enticed, and coerced and attempted to employ, use, persuade, induce, entice, and coerce any minor, to wit: Minor Victim 5, to engage in sexually explicit conduct for the purpose of producing any visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce; the visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; and the visual depiction was transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce. All in violation of Title 18, United States Code, Section 2251(a) and (e).

COUNT 10

(Transportation of Obscene Matter)

Beginning on an unknown date through on or about April 9, 2020, in Montgomery County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

knowingly used an interactive computer service (as defined in section 230(e)(2) of the Communications Act of 1934), for carriage in interstate commerce, obscene matter, to wit: an image of an adult male exposing his penis. All in violation of Title 18, United States Code, Section 1462.

COUNT 11

(Transfer of Obscene Material to Minor)

Beginning on an unknown date through on or about April 9, 2020, in Autauga County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

attempted to transfer and knowingly transferred obscene matter to another individual, to wit: Minor Victim 6, who had not attained the age of 16 years of age, knowing that the other individual had not attained the age of 16 years, by any facility and means of interstate and foreign commerce. All in violation of Title 18, United States Code, Section 1470.

COUNT 12

(Transfer of Obscene Material to Minor)

Beginning on an unknown date through on or about April 9, 2020, in Elmore County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

attempted to transfer and knowingly transferred obscene matter to another individual, to wit: Minor Victim 7, who had not attained the age of 16 years of age, knowing that the other

individual had not attained the age of 16 years, by any facility and means of interstate and foreign commerce. All in violation of Title 18, United States Code, Section 1470.

COUNT 13
(Possession of Child Pornography)

On or about April 9, 2020, in Elmore County, within the Middle District of Alabama, and elsewhere, the defendant,

JESSE LEMAR MCCORMICK,

knowingly possessed material which contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that involved a prepubescent minor and which had been shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer. All in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(2).

FORFEITURE ALLEGATION-1

A. The allegations contained in Counts 1, 4, 7, 8, 9, and 13 of this Indictment are incorporated by reference for alleging forfeitures pursuant to Title 18, United States Code, Section 2253.

B. Upon conviction for the violations of Title 18, United States Code, Sections 2251A(a) and (e), and 2252A(a)(5)(B) and (b), as alleged in Counts 1, 4, 7, 8, 9, and 13 of this Indictment, the Defendant,

JESSE LEMAR MCCORMICK,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253:

(1) any visual depiction described in Title 18, United States Code, Sections

2251, 2251A, or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;

(2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from the offense; and,

(3) any property, real or personal, used or intended to be used to commit or to promote the commission of the offense.

Such property includes, but is not limited to:

- (a) certain real property and premises, located at 780 Lake Region Circle, Wetumpka, Elmore County, Alabama, with all appurtenances and improvements thereon; and
- (b) an Apple iPhone XR (A1984), IMEI: 356429108833634; and
- (c) an Apple brand, model iPad Pro (A2013), iOS cellular tablet, black in color, with gray cover, Serial # DMPYH5GNKD8C.

C. If any of the property described above, as a result of any act or omission of the Defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty,

the United States of America shall be entitled to seek an order of this Court forfeiting any other property of said defendant up to the value of any property described in paragraph B above.

All pursuant to Title 18, United States Code, Section 2253.

FORFEITURE ALLEGATION-2

A. The allegations contained in Counts 2–3, 5–6, and 10–12 of this Indictment are incorporated by reference for alleging forfeitures pursuant to Title 18, United States Code, Section 1467.

B. Upon conviction for the violations of Title 18, United States Code, Sections 1462 and 1470, as alleged in Counts 2–3, 5–6, and 10–12 of this Indictment, the Defendant,

JESSE LEMAR MCCORMICK,

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 1467:

- (1) any obscene material produced, transported, mailed, shipped, or received in violation of Title 18, United States Code, Chapter 71;
- (2) any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and
- (3) any property, real or personal, used or intended to be used to commit or to promote the commission of such offense.

Such property includes, but is not limited to:

- (a) certain real property and premises, located at 780 Lake Region Circle, Wetumpka, Elmore County, Alabama, with all appurtenances and improvements thereon; and
- (b) an Apple iPhone XR (A1984), IMEI: 356429108833634; and
- (c) an Apple brand, model iPad Pro (A2013), iOS cellular tablet, black in color, with gray cover, Serial # DMPYH5GNKD8C.

C. If any of the property described above, as a result of any act or omission of the Defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty,


the United States of America shall be entitled to seek an order of this Court forfeiting any other property of said defendant up to the value of any property described in paragraph B above.

All pursuant to Title 18, United States Code, Section 1467.

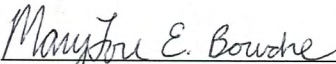
A TRUE BILL:



Foreperson



LOUIS V. FRANKLIN, SR.
UNITED STATES ATTORNEY



MaryLou E. Bowdre
Assistant United States Attorney



Verne H. Speirs
Criminal Chief